

have flinched from the task if he had known that pistols were to be used against the informant.

But Rose so incriminated himself in his confession that the District Attorney did not attach a great deal of weight to his pretence of ignorance that an assault, not a murder, was contemplated when the gray car delivered its desperate freight in Forty-third street.

Bridgie Webber, the host of the murder conspirators, backed up Rose yesterday and told of what was said when he and Rose met Becker upstairs a few days before the killing. But it seemed to him that Rose could not make good alone. So he said to Webber:

Called Webber In to Get Job Done.

"Bridgie, Rose says that they won't do this job for him. Now you've got to order it done. I've got the power and you've got the money. You see that this thing is pulled off."

And Webber adds that he was one of the party that met in Forty-second street outside of the Murray Hill baths after the killing. He says he heard what Becker said to Rose at that time, when Becker was only promising protection and immunity for the assassins.

As for Harry Vallon, his confession was the least important of the three. But like Webber he supported Rose in substantial particulars. Denying that he was present when the murder was committed, Vallon admits that he was at the Metropole a few minutes previously and that he was cognizant of the arrangement.

What with these three confessions the District Attorney and his advisers believed last night that they have already an unbreakable case against Becker. But they have the word that other confessions are just around the corner—that the weakening of Rose, the man familiar with the details of the arrangements, the man who was the go-between and scout—will serve to melt the reserve of the other conspirators. It can be said that all the men now held for murder except Becker will be immunized if they tell the whole truth about the plot and its consummation.

The confessions that revealed perhaps the most extraordinary story of officially instigated crime that the city ever knew were the result of an arrangement made by the District Attorney with Max D. Steuer, counsel for Bridgie Webber, and with James M. Sullivan, the lawyer for Jack Rose and who represented also Harry Vallon, whose interests were bound up largely with those of Webber, his gambling partner, and with Jack Rose, his old time friend.

Rose in Terror, Told to Tell the Truth.

On last Friday Mr. Sullivan made up his mind that it would be best for Rose to tell the truth. He had had many talks with his client. He knew Rose's state of mind to the thickness of a hair. Rose had said to him:

"I am willing to tell the truth about this. God knows I'm in it. But I don't want to tell the truth about the killing. If I do, I'm in it for life. I don't want to go to jail."

Rose thought a little while and added: "Mr. Sullivan, if you see to it that my wife and children are protected I'll come across. I'm afraid it will be the end of me. No cell on earth will be strong enough to keep the life in a man who gives up about this killing."

Mr. Sullivan knew then that Rose was terrified through and through. He knew that the gambler, whose easy going spirit and amiable habits had been shaken and torn by the murder for Rose has never been known as a gunfighter or a bad man in the sense of thugs and he was uncertain and hesitating about the right course to follow.

All of the time Mr. Sullivan reported to Mr. Whitman, and the District Attorney, playing his hand very carefully, let it be known that the case against Rose was already so bad that Rose might expect an indictment. Yesterday afternoon Mr. Sullivan notified the District Attorney that Rose was ready to confess.

Three Men Decide to Confess.

At the same time the readiness of Bridgie Webber to turn State's witness was known to Mr. Whitman by Webber's new lawyer, Max D. Steuer. When Mr. Steuer was retained yesterday by Mrs. Webber and accepted a retainer of \$10,000 from her, he went straight to Webber in the Tombs and advised his client to make a clean breast before the District Attorney.

Vallon was anxious to be included in the arrangement, and after a little discussion it was decided by the lawyers with Mr. Whitman to have all three men brought to the District Attorney's private office.

This was shortly after the adjournment of the hearings on the cases of Rose, Vallon, Webber, Libby, Shapiro, Sullivan and Dago Frank Crofield.

For half an hour the District Attorney, Steuer and Sullivan conferred. Then Judge Mulqueen was informed that a confession was to be made and asked if he would remain in chambers during the early part of the night. The Judge consented instantly and left the Criminal Courts Building for the briefest possible dinner.

He did not know, of course, what action the Grand Jury would take as a result of the astounding confessions, but in common with the lawyers for the prisoners and with Mr. Whitman Judge Mulqueen had a notion that an indictment for murder in the first degree would be returned against Lieut. Becker.

The Grand Jury action presented a problem. Early in the day the Grand Jurors had listened to a feature of the gambling investigation as it concerned Rosenthal's charges against Becker.

But the jurymen had gone home. They were widely scattered. It was necessary to send special messengers for some of them, to telephone others and to get automobiles.

At 5 P. M. when the District Attorney knew to a certainty that there would be work that night for the Grand Jury he directed Mr. Klinge of his staff to reconvene the body.

Grand Jury Reassembled.

The order was unprecedented so far as the most veteran members of the District Attorney's staff knew. Certainly never before in Mr. Whitman's time had it been necessary to recall a Grand Jury after the body had finished its work for the day. Nobody remembered that even in the turbulent times of Jerome had any such step been necessary.

Roundup of the jurymen was a slow process. It was necessary to have sixteen on hand to constitute a quorum. There are twenty-three members of the body. By 5 P. M. only eight had appeared in the Grand Jury room. They had only a hint of the proceedings forward, but the air was electric with excitement.

Everybody realized that the interview with the prisoners, the unusual order for the reconvening of the Grand Jury, the presence of Judge Mulqueen and the District Attorney's manner, por-

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tended immediate and extraordinary action.

The name of Lieut. Becker came into the talk early in the night. Long before Becker was arrested the idea had become firmly fixed that all of the exciting activities in the District Attorney's office pointed logically to one thing—Becker's indictment, arrest and arraignment.

By 5:30 thirteen of the jurors had appeared. A few minutes later one more came hurriedly to the third floor. Then a fifth appeared. There was some wait for the other necessary to make a quorum, but finally at 7 o'clock there were sixteen waiting for the District Attorney's message.

Rose's Story of the Plot.

Meanwhile for hours Mr. Whitman, working hand in hand with Mr. Steuer and Mr. Sullivan, had been drawing from Rose and Webber and Vallon the story of Becker's hatred for Rosenthal and his vigorous directions for the killing of the loquacious gambler. Rose's story, as detailed in the confession, runs in the main about as follows:

His relations with Becker have been for years more than friendly. When Becker took charge of the strong arm squad and was in a position to smell out the profitable gambling houses of the city that close and confidential relationship found its fullest play. Rose immediately at Becker's request took the job of making the rounds of the gambling houses and of milking them of monthly contributions.

The game was a simple one. Becker's power was exaggerated by the gamblers and his vengeance was always in their thoughts. They did not dare refuse when the smiling and affable Rose showed up for the monthly divide.

But, as Rose says, Becker did not get all of the money. It went several ways, and the disposition of the loot will be a matter for official investigation.

Becker's relations with Rosenthal were such as Rosenthal had indicated before he was killed. This is one of the points of Rose's confession. Therefore, when Rosenthal ran amuck, wild from hate and fear of Becker, the whole crew was in fear of a public showing up.

They feared that District Attorney Whitman would drag out of Rosenthal and of men that Rosenthal could name information that even Rosenthal in his most frenzied complaints had not let out a whisper of.

Becker Desperate, Says Rose.

Becker, says Rose, was fairly desperate. He hated Rosenthal as few men hate their fellowmen. Weeks before Rosenthal touched a match to the dynamite, Becker knew the explosion was coming. He knew that nothing could be done with the Forty-fifth street gambler; that no amount of cajolery or soft talk could turn Rosenthal—a chronic kisser—from his purpose. Only one thing could stop Rosenthal's mouth, and that was death.

The murder was ordered and arranged as thoughtfully and deliberately, Jack Rose says, as ever crime was premeditated. Weeks before the murder Lieut. Becker sent word to Rose that he wanted to see him on an especially important subject.

They met uptown far removed from the spies and chattering of the Tenderloin. Becker said to Rose (and Rose places the date of this conference as about six weeks before the killing) that Rosenthal couldn't be handled and that there was just one thing left to do, to put him out of the way.

"He has lived too long," said Becker. Rose, no stranger to some phases of criminal life, and the confidant of gangsters with blood on their souls, was yet no hand at the active business of killing. He was timorous. His nerves betrayed him.

Becker noted his paleness and his indisposition to fall for the suggestion. And Becker clapped a hand on his shoulder in a bluff and hearty way he has, and said to Rose:

"That Dog's Made Too Much Trouble."

"Now, there's no use getting worried or nervous about this job. It has to be done. That dog has made too much trouble. He has got to be put away."

"What do you think I am in this department? I can do what I damn please. I'll see to it that nobody gets into serious trouble. Now you go out and do whatever is necessary."

"And Jack Rose went out and did what was necessary. He did it in a way peculiar to himself. Too cautious, too saving of Jack Rose's skin to deal directly with paid killers, he passed the job along, along down the steps that lead from quasi-respectability to the black dens where murderers can be had at a word and the money.

One of the first men he saw was Big Jack Zelig, master of perhaps the most dangerous and desperate a company of thugs, with one exception, Sirco's, that ever terrorized downtown New York.

Zelig, as Rose well knew, did not have to have a blue print of instructions, and Jack Rose whispered in Zelig's ear that if Zelig could find the men that would put Herman Rosenthal out of the way Zelig need not be worried about what would happen to him when his

case came up this fall. Zelig, under indictment for a felony that might mean seven years exile from his band, was ready to take a hint.

At that stage Mr. Rose quietly backed out of the play and left the scene shifters do their work.

Zelig to His Pistol Men.

The pistol men were notified—all Zelig men. They were told that Rosenthal was to be done up on the night of Monday, July 15. They were told to be in readiness for the job. The time had not been set because nobody knew exactly where Rosenthal would be or with whom he would be talking.

And here the activities of the board of strategy composed of Jack Rose and Bridgie Webber came into use. As the plot developed under the expert direction of the downtown murder masters, Webber and Rose keeping at a distance waited for the word that the time had come to end Rosenthal's life.

A few days before the murder Becker sent for Bridgie Webber, telling Webber to meet him in Harlem on the West Side at a place Webber designated. When Webber went up there he found Rose present.

Apparently Rose and Becker had not been in complete agreement. Rose was shaking his head and Becker displayed anger in his every move.

A big man and powerful, he was shedding his wrath upon the good natured and cowardly Rose.

In this situation Webber found them and was hailed pleasantly by Becker. This part of the scene, of course, is that which Webber supplies as a corroboration of Rose's.

Becker, pointing to the unconvinced and doubtful Rose, spoke up very plainly to Webber. He said:

"Now, see here, Bridgie, Rose says that they won't do it for him, that they won't pull this job off alone on his say-so."

"You can get it done. They all know you. They know that you've got money and that you can back up whatever you say."

"The job has got to be done. I won't stand for this man Rosenthal any longer. What's to prevent? Where's the trouble coming? You've got the money Bridgie and I've got the power."

"This thing can be pulled off so that nobody will be got into very serious trouble. I'll see to that. I'll protect everybody."

Becker's Plot to Drive Them.

And then Becker shook his fist in the faces of the gamblers and fairly spat at them.

"If you don't do this I'll put weapons on every one of you. I'll send you what you'll get."

And Rose and Webber both went from that interview with the positive fear of Sing Sing in their hearts. They swear they believe that Becker would have jailed them if they had not agreed to his demands.

So the plot proceeded briskly from the night of that talk in Harlem. Rosenthal was followed and shadowed. He never took a step from his house in Forty-fifth street without cunning eyes peering at him. He never dined in a restaurant without spies lurking somewhere to telegraph his movements.

But until the day of his death no one believed that he would make good his threats to go before the District Attorney and the Grand Jury. There was warrant for his killing without that final step, but when Rosenthal did go to the District Attorney his death became absolutely necessary.

They worked fast on the final day. Rose and Vallon spent part of the night, as has been described, in getting the affidavit that Becker wanted from Dora Gilbert, Rosenthal's divorced wife. But that was a minor part of their business for Becker.

Rosenthal, dead or alive, was to be a discredited suit furthering his sworn statement labeling him a wretched sort of creature in anybody's opinion. The affidavit had its distinct purpose even with the time of the hour of the killing set.

Collecting the Murderers.

The final word coming on Monday afternoon, Rose sent word to the East Side aid that the pistol men must be kept where they could be reached at a quarter of eight o'clock. His original intention was to pick them up in the red car that he had used on the affidavit errand. But the trouble caused the red car to be put out of commission, and so Rose telephoned for the Shapiro and Libby car and with Mallon got into it at Tom Sharkey's.

A part of Rose's confession describing the murder is withheld because of its importance in work yet to be accomplished. But when the gray car had picked up the men appointed for the job it delivered them at Webber's rooms and orders were given to them to remain there until definite news was obtained as to Rosenthal's whereabouts.

The news came quickly. Vallon had been spying at the Metropole. Webber himself went there and spoke pleasantly to the man whose death he was contriving.

In a few minutes, and that was about 1:30 A. M., the gray car left Webber's, Shapiro driving, with the four assassins. Rose remained in the immediate neighborhood of the Metropole. The fear of Becker lay on him heavily. He knew he had to see that the crime was an accomplished fact and that it was up to him so to report to the man who had directed the crime.

Murder as Staged by Police.

The killing itself was perfectly simple. There was no interference with the murderers before or after they fired their bullets into the gambler's brain. They came and went untroubled and unalarmed.

"Becker," said Jack Rose in his confession.

It is now recalled that Mr. Whitman paid no attention to Becker that night. Explaining the next day why he went to the West Forty-seventh street station Becker said that he was merely interested in the case. He realized, he said, that some people might criticize him for putting in an appearance, but it occurred to him that it was his duty to show up.

Rose went from the conference in Forty-second street to the Lafayette Baths. He stayed there until the afternoon of Tuesday, when he went to Harry Pollok's house. Becker knew where he was going.

That afternoon the lieutenant called up Rose on the telephone at Pollok's and had a talk with him. Again that day Becker telephoned to Rose.

The next day the lieutenant was equally busy on the phone. Matters were proceeding pretty briskly and Becker suggested that it wouldn't do any harm if Rose gave himself up.

"I would have told the truth right at the start," said Rose yesterday, "but I wouldn't tell it in front of Dougerty."

Thought Becker Was to Be a Power.

Rose included in his confession a statement that he and Webber and the

rest of the gamblers believed that Becker would soon be a power in the Police Department. As Rose put it, their idea was that Becker was soon to be the whole thing, that or else utterly ruined.

They knew that Becker was playing a big and desperate game, a game for wealth and a game for power. They knew that he was intriguing as well as blackmailing. But they were shrewd reasoners and they figured that the lieutenant might be on the verge of ruin.

However, there was no way to break from him or his influence until they were safely locked in the Tombs. In that cool retreat they had time to think over their situation and to balance probabilities. They finally decided that the lesser danger lay in informing against Becker.

As for the actual murderers, the men who pistolled Rosenthal, Rose does his best for them.

"Those poor devils," he said, "didn't know what they were doing. They were full of booze. They had been told to kill. And they went and did what they were told."

"Whiskey played its part in the immediate arrangements. The four murderers were drunk when they went into Forty-third street. One of them was ill. But the excitement braced him up. They were not the only ones who had drunk deeply that night."

Rose himself admits that he needed bottled courage. Vallon got so drunk he could hardly walk—but not until he had played his part, a furtive sneaking party, spying on Rosenthal while the doomed gambler chatted in the Metropole restaurant.

Some of Rose's remarks are interesting in themselves.

"Why, of course I was Becker's collector," he said. "Everybody knew it."

Webber Says He Paid Becker \$125 Monthly.

Bridgie Webber, corroborating details of the murder plot supplied corroboration also as to Becker's methods of obtaining protection money. Webber said that his payments to Becker through Rose were \$125 a month.

It was said last night that some of these payments were reduced to the discretion of checks, and that cancelled checks are now in the possession of the District Attorney.

Vallon, probably ignorant of the big details of the plot, told a story as to the lesser part he played. His evidence is important in that it supplied the necessary links between Webber and Rose, for Vallon, Webber's partner, was often a go-between. He was not a talkative man and he could be trusted with very private messages.

It was not until a few minutes past 7 o'clock that all of the details had been outlined. Rose, Webber and Vallon, looking as if a vast weight had been lifted from their minds, were nevertheless in desperate fear.

It was a terror that was obviously not assumed. There was nothing theatrical about it. They were glad a load was off their souls, but they dreaded what might happen to their bodies.

Didn't Dare Move From Room.

"For God's sake," said Rose, the hand he held up trembling as if from ague, "don't send me to the Tombs to-night. Maybe you think I'm a fool. But I'll swear I believe that I'd be killed some way if I went there."

The District Attorney was astonished. He thought for a moment that Rose was either lying or hysterical. He looked at Webber. "If ever cold fear was printed on a man's face the stamp of it lay on Bridgie Webber's."

"That's the truth, Judge," said Bridgie. "I feel safe here, but I believe I'd get my finish in the Tombs."

Their terror was so palpable, so undoubtedly genuine that Mr. Whitman was moved by it. Instead of sending them across the Bridge of Sighs he made arrangements for them to sleep in his suite of offices.

He ordered the detectives of his staff, Raynes, Russo and Leigh, to stay in the same room with the prisoners and see to it that nobody, no matter who it was, communicated with them.

"Unless you see me in the doorway," said the District Attorney, "and unless you hear my words, let no man approach the room where these men are."

Rose and Webber thanked him heartily. For the first time in the afternoon Rose actually smiled. All of the good humor that characterized this strange and picturesque being had evaporated during the questioning. It only returned when he was satisfied that his life was safe for one night at least.

An Indictment Promised.

At 7:10 P. M. when the necessary Grand Jury quorum had been obtained, Mr. Whitman in person escorted the three through a private passageway to the entrance of the Grand Jury. Previously Policeman Brady, a young uniformed officer who appeared at the Met-



LIEUT. BECKER, WHO IS CHARGED WITH MURDER IN THE ROSENTHAL CASE.

ropolis shortly after Rosenthal was killed, was brought to the District Attorney's office by a member of Mr. Whitman's staff.

The minute Brady showed up the significance of reconvening the Grand Jury became as plain as day. Brady was called for one purpose—to testify as to his identification of the dead Rosenthal. Such matters had nothing to do with an indictment for extortion. This it was first surmised was the cause of the reconvening of the Grand Jury. Brady's coming meant that the matter was shaping for a murder indictment.

A little later the tall figure of Policeman William J. Fife, who looks not unlike Jim Corbett, with whom Fife used to train, appeared in the District Attorney's office. Fife was there to give information as to the chase of the murderers. Events were shaping rapidly. Rose was taken into the Grand Jury room and Vallon and Webber followed shortly afterward. Coroner's Physician Schultze gave information as to the wounds and their location.

Not one word of what took place in the Grand Jury room transpired there or thereafter except as to the indictment of Becker. The proceedings were even more strictly than usual safeguarded and protected. But the Criminal Courts Building sensed what was proceeding behind the tight locked doors because the news had flashed down from the Bronx that Lieut. Becker, found at the Bathgate station, had been arrested for murder in the first degree.

Grand Jury Reports.

At 9:45 P. M. Judge Mulqueen in chambers received word that the Grand Jury was about to report. He went to the bench. Mr. Whitman, his face very stern, stepped to the Judge's side and whispered with him for a few moments. Presently the Grand Jury entered, headed by their foreman, Oscar R. Cauchois. Clerk Beard called the roll and seventeen jurors, one more than a quorum, responded to their names.

Judge Mulqueen looked up thoughtfully, hesitated for a moment, and then said:

"Gentlemen of the Grand Jury, you will please continue your operations."

Those in the court room jumped to the conclusion that the Grand Jury had not finished its work for the night and that Judge Mulqueen was sending them back to complete their work. This was not the case. The Judge was employing the usual formula in dismissing the jurors until the next day.

It was not for a few minutes known that the indictment had been handed up to the bench. But the delay in announcing the fact was because the defendant, Lieut. Becker, had not arrived. Arrested in the station house to which he was sent after being relieved from the command of the strong arm squad Becker was brought downtown by Raines and Russo of the District Attorney's staff.

It was about 10:15 P. M. when he entered Part I. of the Court of General Sessions. At the moment John W. Hart, his counsel, was upstairs in the District Attorney's office, anxiously phoning for news of the whereabouts of his client.

Mr. Hart had heard merely that Becker was under arrest. He had had no opportunity to communicate with the lieutenant, who was on his feet in the court room and under the eye of the Judge before Hart knew that he was in the building. The lawyer rushed downstairs and stood beside his client.

Becker's Iron Nerves Test.

Becker's appearance was interesting. Something at least of the calm and imperturbability which had marked him had dropped away. He shows the tension. His jaw muscles worked. He looked from the floor to the ceiling and from the ceiling to the floor. His big hands gripped the rail in front of him and he crushed the brim of his Panama hat.

Hart inquired what indictment had been returned against his client.

"Murder in the first degree," said Judge Mulqueen.

Becker set his teeth hard. You could see again the play of the muscles in his face. But he looked squarely at the Judge, depending upon Hart to say whatever was necessary.

Mr. Hart asked immediately for a postponement or an opportunity to consult with his client. He said that he had had no opportunity to see Lieut. Becker and that he had not seen him during the day. He asked if it would be possible for him to have a conference with Becker. The court looked inquiringly toward District Attorney Whitman and the District Attorney said:

"That is a matter for the court alone, not a matter in which I can give consent."

Held One Week Without Bail.

Judge Mulqueen deliberated briefly and then announced that Becker was remanded to the Tombs, without bail of course, for one week.

"I will sign an order," said the Judge, "allowing you, Mr. Hart, to consult with your client."

Detective Russo touched Becker on the shoulder. The lieutenant, whose mind seemed to be elsewhere, started visibly. Then he summoned a smile, nodded to Russo and went out of the court room side by side with Whitman's plain clothes man. He was immediately lodged in a cell in the Tombs.

District Attorney Whitman declined to review the details of the confessions of Rose, Webber and Vallon, but the District Attorney feels that these men have made a strong case against Becker. Nor would the District Attorney intimate what course he will follow as regards bargaining with other men now under arrest for the murder. It can be said, however, that the importance of Becker's connection with the killing is such that Mr. Whitman feels that it would be worth while to immunize every man now under arrest but Becker if they deal frankly with him. The District Attorney's position is that Becker is not merely an individual charged with murder, but that he represents a ring.

The importance of Rose's testimony is that Rose by his own admissions was the manager of the murder, and that he can connect the various steps that were taken between the time Becker said the job had to be done and the time that Rosenthal lay dead on the sidewalk.

Pat Roll for Max D. Steuer.

It was evident after the hearings got under way that extraordinary things were going to happen. In the first place Max D. Steuer was retained to take charge of the case of Webber. The circumstances preceding his actual retention were unusual.

Mr. Steuer, who is counsel for ex-City Chamberlain Charles R. Hyde and has been in many of the big criminal cases of the last few years, entered the Tombs shortly before noon. He was met by Mrs. Webber. The two engaged in whispered converse for a short time, eyed by many reporters, and then Mrs. Webber handed the lawyer a large roll of bills.

Mr. Steuer glanced at the weight of paper, casually ran his finger through it, and then he took it out of his pocket. It could be seen that the roll contained \$10,000 and most of the bills inside were \$1,000 bills. Later it was reported around the Criminal Courts Building that the amount of the roll was \$10,000.

Mr. Steuer succeeds ex-Assistant District Attorney Harford T. Marshall.

Steuer Confers With Webber.

It is thought that Mr. Steuer's first advice to his client was to tell the truth, that alone, and all of it that he knew. Mr. Steuer had a talk with his client in the Tombs and then went directly to the Criminal Courts Building to the hallway directly outside of District Attorney Whitman's office.

Needless to say the new attorney for Webber was not kept waiting, in view of what was being developed. Mr. Whitman, his first assistant, Francis Moss, and Mr. Steuer were soon engaged in a conference in Mr. Whitman's office.

This conference began at 3 o'clock. Mr. Steuer must have had his mind all made up as to what it was he was going to say, for within a few minutes the crowd of waiters outside the office began to get action.

Mr. Whitman reappeared. He was instantly surrounded and asked a handful of questions, all of which he refused to answer. This he did say:

Whitman Promises Big News.

"There will be big developments during this day. I can't say further than that. He despatched a messenger; then he went into the room. Then Judge Mulqueen of General Sessions, whose present assignment is the charge of the Grand Jury sitting in the Criminal Courts Building, entered the private office of the conference.

The four—Judge Mulqueen, with the power signing a writ of Habeas Corpus, Mr. Whitman and his assistant Mr. Moss, who are prosecuting the case, and Mr. Steuer, representing one of the principal prisoners, then conferred for a time while the tension in view of the positions and powers of those within, grew almost unbearable for those waiting outside.